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Application No. 10/829,253
Amendment dated June 20, 2007
Reply to Office Action of March 22, 2007

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- REMARKS/ARGUMENTS -

Claims 1, 2, and 5 to 16 remain in the application.

Claims 1 to 3 and 5 to 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Desrochers et al. (CA 2,297,220).

Reconsideration is expected on the following grounds.

In the "Response to Arguments" section of the Office Action, the Examiner argues that Desrochers et al.'s pulley 20 is fixed on shaft 12 because pulley 20 fully surrounds the shaft. While this indicates that the pulley 20 is mounted on the shaft it does not mean that the pulley is fixed to the shaft, i.e. securely attached thereto with no relative movement between the pulley and the shaft. As clearly stated on page 6, lines 3 to 6, Desrochers et al.'s pulley 20 is mounted for free rotation around the intermediate shaft 12. As shown in Figure 6 and as clearly stated on page 6, lines 16 to 20, the pulley is mounted on a bushing 32 for allowing the pulley 20 to freely rotate relative to the intermediate shaft. On page 8, lines 11 to 15, it is also clearly stated that the pulley is freely rotatable on shaft 12. In view of the foregoing, it is clear that Desrochers et al.'s pulley 20 is not fixed to shaft 12.

The Examiner also states that Desrochers et al.'s pulley 20 is in direct driving engagement with the shaft, as stated on page 9, lines 11 to 12. The Examiner is respectfully invited to read the full paragraph bridging pages 8 and 9. This paragraph clearly sets forth that rotation of the pulley 20 relative to shaft 12 is blocked by the engagement of pin 60 with spring pin 54 (see Figure 5). The engagement of the roller 34 mounted to the hub of the pulley 20 with the peak formation 50 of cam member 38 causes joint rotation of the pulley and the cam member. Then, the engagement of pin 60 on cam member 38 with spring pin 54 on shaft 12 rotatably lock pulley to the shaft via the cam member. Accordingly, the torque is transmitted from the pulley to the cam member, which, in turn, transmit the torque to the shaft 12 via the pin and pin spring engagement. The pulley is thus not in direct drive engagement with the shaft 12. The shaft 12 is not driven in rotation during the first phase of the operation, while the cam member 38 linearly travels on the shaft towards spring pin 54.

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In view of the foregoing, Desrochers et al. clearly fails teaching or suggesting all the structural limitations of independent Claims 1 and 15.

In point C of the "Response to Arguments" section (page 10 of the Office Action), the Examiner states that "displaceable" implies merely the possibility of being displaced and that Desrochers et al.'s shaft is "axially displaceable".

Claim 1 has been amended to positively recite that the shaft is axially displaced by the manual actuator. It is also respectfully submitted that there is no possibility of axially displacing Desrochers et al.'s shaft 12 relative to its support structure. Shaft 12 is indeed directly coupled to the motor M normally used to drive the closure. Furthermore, the sprockets 11 and chain 15 preclude any axial movement of shaft 12.

In view of the foregoing, independent Claims 1 and 15 have been amended to positively recite that the manual actuator rotates the shaft while the driving member and the shafts are axially displaced. Again, Desrochers et al.'s shaft 12 is axially fixed in position and the pulley 20 is freely rotatable on the shaft 12. It is also respectfully submitted that Desrochers et al.'s roller 34 and cam member 38 are free to rotate relative to shaft 12 when the pulley 14 is first rotated to axially displace the cam member 38 in torque transmitting engagement with pins 54 on shaft 12 (see page 8, lines 11 to 29). Accordingly, neither one of the rollers or cam member 38 is fixed to the shaft, as recited in Claim 15. Desrochers et al.'s shaft 12 does not rotate when the cam member moves relative to the roller because the cam and rollers are not fixed to shaft 12. This constitutes further structural differences between the claimed invention and the cited reference.

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In view of the foregoing, the claims are clearly patentable over the cited references and an early action to that effect would be much appreciated.

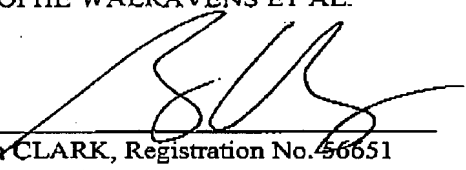
Respectfully submitted,

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By:

June 20, 2007

Date


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